

Appl. No.: 09/977,894
Amdt. dated 10/31/2005
Reply to Office action of 04/29/2005

Amendments to the Drawings:

The attached drawing sheet includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1. In Figure 1, previously stamped statement of filing by express mail has been removed.

Attachment: Replacement Sheet

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REMARKS

This response is submitted with a request for a three month extension and appropriate fee in reply to the outstanding Office Action dated April 29, 2005. Claims 1-22 currently stand rejected. Applicants have amended independent claims 1, 7 and 15 to more particularly distinguish the claimed invention from the cited references. No new matter has been added by the amendment.

In light of the amendment and the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Drawing Objections

Figure 1 has been objected to because it is covered by a stamp. Applicants have included a replacement sheet having the stamp removed.

Accordingly, Applicants respectfully request the objection to Figure 1 be withdrawn.

Claim Rejections - 35 USC §103

Claims 1-4, 7, 8, 10, 13, 15, 16, 18 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Abdelnur et al. (U.S. Patent No. 6,212,640, hereinafter, *Abdelnur*) in view of Stebbings (U.S. Patent No. 6,564,253). Claims 5, 11 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Abdelnur* in view of *Stebbins*, and further in view of Wiser et al. (U.S. Patent No. 6,385,596, hereinafter, "*Wiser*"). Claims 6, 12 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Abdelnur* in view of *Stebbins*, and further in view of Moskowitz (U.S. Patent No. 6,598,162). Claims 9 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Abdelnur* in view of *Stebbins*, and further in view of Halabieh (U.S. Patent No. 6,564,170). Claims 14 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Abdelnur* in view of *Stebbins*, and further in view of Natarajan (U.S. Patent No. 6,611,599).

Applicant has amended independent claims 1, 7 and 15 to recite, *inter alia*, the identifier being associated with at least one of a plurality of variably located portions of the digital literary work. Thus, in an exemplary embodiment according to independent claims 1, 7 and 15, a digital

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literary work is broken into a plurality of portions. One or more of the portions which may be variably located throughout the digital literary work includes an associated identifier.

Accordingly, a particular portion may be shared via a network responsive to the presence of the identifier without a need to transmit an entirety of the digital literary work.

Abdelnur is directed to a method and apparatus for sharing resources in a network environment. However, Abdelnur is silent, as conceded in the Office Action, regarding a digital literary work including an identifier. As such, the Office Action cites Stebbings as teaching such feature at col. 8, lines 44-46 and lines 52-60. The cited passage from Stebbings discloses an embodiment in which encoding is accomplished by adding an authorization usage header at the beginning of each digital stream (col. 8, lines 44-46, Figures 7 and 9). Thus, Stebbings discloses that a single authorization usage header is disposed at the beginning of a digital data stream. In other words, a variably located portion of the digital data stream cannot be sent since such portion will not be authorized due to lack of the authorization usage header. To the contrary, the independent claims have been amended to recite variably located portions of a digital data stream capable of having an identifier. Thus, only a portion of the digital data stream may be shareable due to presence of the identifier, independent of location within the digital data stream.

Accordingly, Stebbings fails to teach or suggest the identifier being associated with at least one of a plurality of variably located portions of the digital literary work as claimed in independent claims 1, 7 and 15.

Halabieh is directed to customizable user interfaces. Natarajan, Moskowitz and Wiser are each directed to encryption methods. Halabieh, Natarajan, Moskowitz and Wiser each fail to teach or suggest the identifier being associated with at least one of a plurality of variably located portions of the digital literary work as claimed in independent claims 1, 7 and 15. Furthermore, none of Halabieh, Natarajan, Moskowitz and Wiser is cited as disclosing such feature.

Since Abdelnur, Stebbings, Halabieh, Natarajan, Moskowitz and Wiser each fail to teach or suggest the aforementioned features of independent claims 1, 7 and 15, any combination of Abdelnur, Stebbings, Halabieh, Natarajan, Moskowitz and Wiser also fails to teach or suggest the subject matter of independent claims 1, 7 and 15. Thus, the cited references, taken either individually or in combination, do not anticipate, or render independent claims 1, 7 and 15

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obvious. Claims 2-6, 8-14 and 16-22 depend either directly or indirectly from a respective one of independent claims 1, 7 and 15, and as such, include all the recitations of their respective independent claims. The dependent claims 2-6, 8-14 and 16-22 are therefore patentably distinct from the cited references, individually or in combination, for at least the same reasons as given above for independent claims 1, 7 and 15.

Accordingly, Applicants respectfully submit that the rejections of claims 1-22 are overcome.

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CONCLUSION

In view of the amended claims and the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

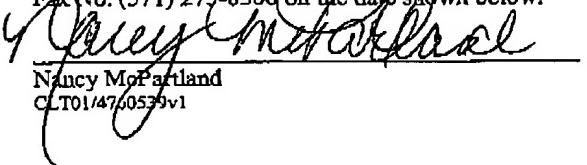
Respectfully submitted,


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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.


Nancy McPartland
CLTO14700539v1

10.31.05
Date